



Steven W. Troxler
Commissioner

North Carolina Department of Agriculture
and Consumer Services
Veterinary Division

Christina L. Waggett
Assistant Commissioner
for Consumer Protection

Michael Martin, DVM
State Veterinarian

January 5, 2022

Best Friends Pet Care, Inc.
Attn: Jenna Joseph
120 S. Central Avenue
Suite 350
Clayton, MO 63105

NOTICE of CIVIL PENALTY and NOTICE of WARNING

Re: CIVIL PENALTY ASSESSMENT for VIOLATIONS of TITLE 02 N.C. ADMINISTRATIVE CODE (NCAC) CHAPTER 52J SECTIONS .0102(1); .0201(e); .0202(d); .0204(a); .0206; .0207(a) and (b)(1) and (6); and .0208 and NOTICE of WARNING for VIOLATION of 02 NCAC 52J .0102(3); .0103; and .0202(e).

AWS-CP-2022-1

Facility: Best Friends Pet Care - Charlotte
License No. 10476

Dear Ms. Joseph:

Pursuant to NCGS § 19A-40, I am issuing this notice that Best Friends Pet Care, Inc., as owners of Best Friends Pet Care – Charlotte, are hereby assessed a civil penalty of \$2,300.00 as provided in the enclosed Notice of Violation.

With regard to the civil penalty, within 60 days from the date of receipt, you must do one of the following:

1. Pay the civil penalty assessment; or
2. File a written petition for a contested case hearing with the N.C. Office of Administrative Hearings to appeal the penalty assessment.

Pursuant to NCGS § 150B-22, either party to a dispute may initiate informal settlement negotiations at any time. To negotiate a settlement of this assessment, you may contact me by telephone at (919) 707-3280. Settlement offers do not extend the 60-day deadline for payment or filing of a contested case petition.

Additional information about your options is provided below:

PAYMENT

To pay the penalty, please send your payment by check or money order made payable to the North Carolina Department of Agriculture and Consumer Services to:

North Carolina Department of Agriculture and Consumer Services
Dr. Patricia Norris
Director, Animal Welfare Section
1030 Mail Service Center
Raleigh, NC 27699-1030

APPEAL

If you file a contested case petition, it must be in writing and in the form prescribed by NCGS § 150B-23. The petition must be filed with the N.C. Office of Administrative Hearings ("OAH") within 60 days from the date of this document. Additionally, the petition must be accompanied by a filing fee of twenty dollars (\$20.00). Payment can be made by cash, money order, certified check or check drawn on an attorney's trust account. Make checks payable to: Office of Administrative Hearings. File the petition and one copy with:

Office of Administrative Hearings
6714 Mail Service Center
Raleigh, NC 27699-6714

Any questions about filing a petition may be directed to the Clerk of OAH by telephone at 919-431-3000.

You must serve NCDA&CS by mailing a copy of the petition to:

Ms. Tina Hlabse
North Carolina Department of Agriculture and Consumer Services
Registered Agent and General Counsel
1001 Mail Service Center
Raleigh, NC 27699-1001

Payment of the penalty will not foreclose further enforcement action against you for any new violation. If the violations which resulted in the assessment are of a continuing nature, NCDA&CS reserves the right to assess additional civil penalties in the future or take other enforcement action against you.

Your attention to this matter is appreciated.

Sincerely,

 DVM, MS

Patricia Norris, DVM, MS
Director, Animal Welfare Section

Attachment: Notice of Violations, Assessment of Civil Penalty

cc: Michael Martin, DVM, State Veterinarian
Tina Hlabse, General Counsel, NCDA&CS
Christina L. Waggett, Assistant Commissioner, NCDA&CS
Christopher R. McLennan, Assistant Attorney General

STATE OF NORTH CAROLINA
COUNTY OF WAKE

NORTH CAROLINA DEPARTMENT
OF AGRICULTURE AND CONSUMER
SERVICES, VETERINARY DIVISION
ANIMAL WELFARE SECTION

IN THE MATTER OF

BEST FRIENDS PET CARE, INC.

OWNER of

BEST FRIENDS PET CARE - CHARLOTTE

) NOTICE OF VIOLATION and
) ASSESSMENT of CIVIL PENALTY
) for VIOLATIONS of 02 N.C.
) ADMINISTRATIVE CODE ("NCAC")
) CHAPTER 52J SECTIONS .0102(1);
) .0201(e); .0202(d); .0204(a); .0206;
) .0207(a) and (b)(1) and (6); and .0208 and
) NOTICE of WARNING for VIOLATION
) of 02 NCAC 52J .0102(3); .0103; and
) .0202(e).
)

Acting pursuant to NCGS § 19A-40, Dr. Patricia Norris, Director, Animal Welfare Section ("AWS"), North Carolina Department of Agriculture and Consumer Services ("NCDA&CS") makes the following:

FINDINGS OF FACT

1. At all times pertinent to this matter, Best Friends Pet Care – Charlotte located at 10301 Feldfarm Lane, Charlotte, NC ("the kennel") was a boarding kennel, licensed pursuant to NCGS § 19A-28.
2. On October 4, 2021, AWS received a complaint against the kennel alleging failure to properly care for the animals and inadequate sanitation of the facility. Based on the information contained in the complaint, AWS initiated an investigation.
3. On October 5, 2021, AWS Animal Health Technician Jay Blatche ("Inspector Blatche") conducted a site visit and Facility Compliance Inspection (FCI) as part of the complaint investigation. The FCI was noted as "Disapproved" due to the number and severity of violations of the NC Animal Welfare Act ("AWA") and its associated rules. The violations included:
 - a. Failure to maintain records of the signature and address of the individual to whom the animal is released as required by 02 NCAC 52J .0102(1);
 - b. Failure to conduct daily removal and disposal of animal and food waste and failure to maintain facility in a clean and sanitary manner as required by 02 NCAC 52J .0201(e);
 - c. Failure to adequately illuminate the indoor housing facilities in violation of 02 NCAC 52J .0202(c);
 - d. Failure to maintain interior building surfaces impervious to moisture so that they can be readily sanitized in violation of 02 NCAC 52J .0202(d);
 - e. Failure to have all animal contact surfaces within the primary enclosures impervious to moisture in violation of 02 NCAC 52J .0204(a);
 - f. For having wood within the animal's reach in primary enclosures placed into service on or after January 1, 2005 in violation of 02 NCAC 52J .0204(a);
 - g. Failure to maintain primary enclosures in a structurally sound condition, maintained in good repair and in a manner to prevent injury to animals in violation of 02 NCAC 52J .0204(b);
 - h. Failure to provide to receptacles with clean litter provided for waste in all cat enclosures in violation of 02 NCAC 52J .0204(g);

- i. Failure to maintain food free from contamination as flying insects were noted on the food for the animals in violation of 02 NCAC 52J .0205(a);
 - j. Failure to remove waste from primary enclosures and exercise areas to prevent contamination of the dogs or cats and to reduce disease hazards and odors in violation of 02 NCAC 52J .0207(a);
 - k. Failure to properly clean enclosures and exercise areas a minimum of two times per day in violation of 02 NCAC 52J .0207(a);
 - l. Failure to sanitize enclosures and accessories at least once every seven days in violation of 02 NCAC 52J .0207(b)(2);
 - m. Failure to keep areas accessible to multiple animals clean and sanitary in violation of 02 NCAC 52J .0207(b)(6);
 - n. Failure to maintain premises free of accumulations of trash, junk, waste products and discarded matter in violation of 02 NCAC 52J .0207(c)
 - o. Failure to have in effective program for the control of insects in violation of 02 NCAC 52J .0207(d);
 - p. Failure to utilize a sufficient number of employees to maintain the prescribed level of husbandry practices in violation of 02 NCAC 52J .0208;
4. On October 7 and 8, 2021, Inspector Blatche received emails from Best Friend Pet Care staff containing descriptions of corrective actions the kennel was planning on implementing to address the violations;
5. On October 13, 2021, Inspector Blatche conducted a follow-up FCI of the kennel. The FCI report was marked as "Contingently/Conditionally Approved" due to the continued presence of violations but a notable improvement in the cleanliness and odor of the facility. The October 13, 2021 FCI noted the following:
- a. Failure to maintain records of the signature and address of the individual to whom the animal is released as required by 02 NCAC 52J .0102(1) as previously cited in the October 5, 2021 FCI report;
 - b. All food, trash and debris had been removed from the floors;
 - c. Failure to adequately illuminate the indoor housing facilities in violation of 02 NCAC 52J .0202(c) as previously cited in the October 5, 2021 FCI report. Kennel management stated that this violation was being addressed;
 - d. Failure to maintain interior building surfaces impervious to moisture so that they can be readily sanitized in violation of 02 NCAC 52J .0202(d) as previously cited in the October 5, 2021 FCI report. Kennel management stated that this violation would be corrected within 30 days;
 - e. Failure to have all animal contact surfaces within the primary enclosures impervious to moisture in violation of 02 NCAC 52J .0204(a) as previously cited in the October 5, 2021 FCI report. Kennel management stated that this violation would be corrected within 30 days;
 - f. For having wood within the animal's reach in primary enclosures placed into service on or after January 1, 2005 in violation of 02 NCAC 52J .0204(a) as previously cited in the October 5, 2021 FCI. Kennel management stated that this violation would be corrected within 30 days;
 - g. Failure to maintain primary enclosures in a structurally sound condition, maintained in good repair and in a manner to prevent injury to animals in violation of 02 NCAC 52J .0204(b) as previously cited in the October 5, 2021 FCI report. Inspector Blatche directed the kennel management to close all primary enclosures with rust and sharp edges until the violations in these primary enclosures were corrected;
 - h. Failure to utilize a sufficient number of employees to maintain the prescribed level of husbandry practices in violation of 02 NCAC 52J .0208 as previously cited in the October 5,

2021 FCI report. Management stated that they were hiring new staff;

6. On October 15, 19, and 27, 2021 Inspector Blatche received emails from Best Friend Pet Care staff containing updates on the corrective actions the kennel was planning on implementing to address the violations;
7. On December 9, 2021, Inspector Blatche conducted a FCI of the kennel. The FCI report was marked as "Disapproved" due to number, severity and repetitive nature of the violations. The December 9, 2021 FCI noted:
 - a. Failure to maintain records of the signature and address of the individual to whom the animal is released as required by 02 NCAC 52J .0102(1) as previously cited in the October 5, 2021 FCI report and the October 13, 2021 FCI report;
 - b. Failure to maintain records of the veterinary care provided to the animals in violation of 02 NCAC 52J .0102(3);
 - c. Failure to make records available upon request and failure to maintain records for 1 year in violation of 02 NCAC 52J .0103;
 - d. Failure to conduct daily removal and disposal of animal and food waste and failure to maintain facility in a clean and sanitary manner as required by 02 NCAC 52J .0201(e) as previously cited in the October 5, 2021 FCI report;
 - e. Failure to maintain interior building surfaces impervious to moisture so that they can be readily sanitized in violation of 02 NCAC 52J .0202(d) as previously cited in the October 5, 2021 FCI report and the October 13, 2021 FCI report. During the October 13, 2021 FCI, kennel management had stated that this violation would be corrected within 30 days;
 - f. Failure to provide drainage that rapidly eliminates excess water in violation of 02 NCAC 52J .0202(e);
 - g. Failure to have all animal contact surfaces within the primary enclosures impervious to moisture in violation of 02 NCAC 52J .0204(a) as previously cited in the October 5, 2021 FCI report and the October 13, 2021 FCI report. During the October 13, 2021 FCI, kennel management had stated that this violation would be corrected within 30 days;
 - h. Failure to maintain primary enclosures to prevent contamination from waste and wastewater from animals in other enclosures in violation of 02 NCAC 52J .0204(a);
 - i. Failure to provide animals with continuous access to water as 4 primary enclosures housing dogs had no water or water receptacles in violation of 02 NCAC 52J .0206;
 - j. Failure to remove waste from primary enclosures and exercise areas to prevent contamination of the dogs or cats and to reduce disease hazards and odors in violation of 02 NCAC 52J .0207(a) as previously cited in the October 5, 2021 FCI report;
 - k. Failure to properly clean enclosures and exercise areas a minimum of two times per day in violation of 02 NCAC 52J .0207(a) and previously cited in the October 5, 2021 FCI report;
 - l. Failure to sanitize primary enclosures prior to the introduction of dogs into empty primary enclosure previously occupied in violation of 02 NCAC 52J .0207(b)(1);
 - m. Failure to keep areas accessible to multiple animals clean and sanitary in violation of 02 NCAC 52J .0207(b)(6) as previously cited in the October 5, 2021 FCI report;
 - n. Failure to utilize a sufficient number of employees to maintain the prescribed level of husbandry practices in violation of 02 NCAC 52J .0208 as previously cited in the October 5, 2021 FCI report and the October 13, 2021 FCI report. During the October 13, 2021 FCI, kennel management had stated that new staff was being hired. While the kennel did hire 1 full time and 1 part-time staff member, the job duties of these new employees do not include sanitation of the facility or animal care or other maintenance of the prescribed level of husbandry practices. Therefore, the kennel remains in violation of 02 NCAC 52J .0208;

8. The FCIs referenced herein were made available to the kennel owners and can be found on the AWS website at: <http://www.ncagr.gov/vet/aws/>.

CONCLUSIONS

To the extent that the Findings of Fact contain Conclusions of Law, or that the Conclusions of Law are Findings of Fact, they should be so considered without regard to the given labels. Based on the findings of this investigation, AWS concludes that the kennel violated the following provisions:

02 NCAC 52J .0102(1) for failure to maintain records of the date of entry and signature an address of the individual to whom the animal is released and the date of release on October 5, 2021, October 13, 2021 and December 9, 2021;

02 NCAC 52J .0102(3) for failure to maintain records of the veterinary care provided to the animals on December 9, 2021;

02 NCAC 52J .0103 for failure to make records available upon request and failure to maintain records for 1 year on December 9, 2021;

02 NCAC 52J .0201(e) for failure to conduct daily removal and disposal of animal and food waste and failure to maintain facility in a clean and sanitary manner on October 5, 2021 and December 9, 2021;

02 NCAC 52J .0202(d) for failure to maintain interior building surfaces impervious to moisture so that they can be readily sanitized on October 5, 2021, October 13, 2021 and December 9, 2021;

02 NCAC 52J .0202(e) for failure to provide drainage that rapidly eliminates excess water on December 9, 2021;

02 NCAC 52J .0204(a) for failure to have all animal contact surfaces within the primary enclosures impervious to moisture on October 5, 2021, October 13, 2021, and December 9, 2021;

02 NCAC 52J .0204(a) for failure to maintain primary enclosures to prevent contamination from waste and wastewater from animals in other enclosures on December 9, 2021;

02 NCAC 52J .0206 for failure to provide animals with continuous access to water in 4 primary enclosures on December 9, 2021;

02 NCAC 52J .0207(a) for failure to remove waste from primary enclosures and exercise areas to prevent contamination of the dogs or cats and to reduce disease hazards and odors on October 5, 2021 and December 9, 2021;

02 NCAC 52J .0207(a) for failure to properly clean enclosures and exercise areas a minimum of two times per day on October 5, 2021 and December 9, 2021;

02 NCAC 52J .0207(b)(1) for failure to sanitize primary enclosures prior to the introduction of dogs into empty primary enclosure previously occupied on December 9, 2021;

02 NCAC 52J .0207(b)(6) for failure to keep areas accessible to multiple animals clean and sanitary on October 5, 2021 and December 9, 2021; and

02 NCAC 52J .0208 for failure to utilize a sufficient number of employees to maintain the prescribed level of husbandry practices on October 5, 2021 FCI, October 13, 2021 and December 9, 2021

(See Appendix for text of referenced General Statutes and Administrative Code)

CIVIL PENALTIES

As required by NCGS § 19A-40, in determining the amount of the civil penalty, I have considered the degree and extent of harm caused by the violations listed above.

Accordingly, Best Friends Pet Care, Inc., as owners of Best Friends Pet Care - Charlotte are hereby assessed a civil penalty for the following violations:

\$100.00 for violation of 02 NCAC 52J .0102(1) for failure to maintain records of the date of entry and signature an address of the individual to whom the animal is released and the date of release on December 9, 2021;

\$200.00 for violation of 02 NCAC 52J .0201(e) for failure to conduct daily removal and disposal of animal and food waste and failure to maintain facility in a clean and sanitary manner on December 9, 2021;

\$200.00 for violation of 02 NCAC 52J .0202(d) for failure to maintain interior building surfaces impervious to moisture so that they can be readily sanitized on December 9, 2021;

\$100.00 for violation of 02 NCAC 52J .0204(a) for failure to have all animal contact surfaces within the primary enclosures impervious to moisture on December 9, 2021;

\$800.00 for 4 violations (\$200.00 per violation) of 02 NCAC 52J .0206 for failure to provide animals with continuous access to water on December 9, 2021;

\$200.00 for violation of 02 NCAC 52J .0207(a) for failure to remove waste from primary enclosures and exercise areas to prevent contamination of the dogs or cats and to reduce disease hazards and odors on December 9, 2021;

\$200.00 for violation of 02 NCAC 52J .0207(a) for failure to properly clean enclosures and exercise areas a minimum of two times per day on December 9, 2021;

\$200.00 for violation of 02 NCAC 52J .0207(b)(1) for failure to sanitize primary enclosures prior to the introduction of dogs into empty primary enclosure previously occupied on December 9, 2021;

\$200.00 for violation of 02 NCAC 52J .0207(b)(6) for failure to keep areas accessible to multiple animals clean and sanitary on December 9, 2021; and

\$100.00 for violation of 02 NCAC 52J .0208 for failure to utilize a sufficient number of employees to maintain the prescribed level of husbandry practices December 9, 2021

\$2,300.00 TOTAL AMOUNT ASSESSED

NOTICE of WARNING

As to the remaining violations of 02 NCAC 52J .0102(3); 02 NCAC 52J .0103; 02 NCAC 52J .0202(e); this Warning Letter serves as written notice indicating in which respects the kennel may have violated the NC Animal Welfare Act and the rules issued pursuant thereto.

Continued or future violation of the statutes or regulations referenced in this letter will be considered a willful disregard or violation of the N.C. Animal Welfare Act and the rules issued pursuant thereto. Such willful disregard or violation may result in action against your facility's license pursuant to NCGS § 19A-30 and/or the assessment of a civil penalty of up to \$5,000.00 per violation under NCGS § 19A-40.

January 5, 2022
Date

Patricia Norris DVM, MS
Patricia Norris, DVM, MS
Director, Animal Welfare Section
North Carolina Department of
Agriculture & Consumer Services

Appendix

REFERENCED LAWS AND REGULATIONS

§ 19A-28. License required for public auction or boarding kennel.

No person shall operate a public auction or a boarding kennel unless a license to operate such establishment shall have been granted by the Director. Application for such license shall be made in the manner provided by the Director. The license period shall be the fiscal year and the license fee shall be seventy-five dollars (\$75.00) for each license period or part thereof beginning with the first day of the fiscal year.

§ 19A-30. Refusal, suspension or revocation of certificate or license.

The Director may refuse to issue or renew or may suspend or revoke a certificate of registration for any animal shelter or a license for any public auction, kennel, pet shop, or dealer, if after an impartial investigation as provided in this Article he determines that any one or more of the following grounds apply:

- (1) Material misstatement in the application for the original certificate of registration or license or in the application for any renewal under this Article;
- (2) Willful disregard or violation of this Article or any rules issued pursuant thereto;
- (3) Failure to provide adequate housing facilities and/or primary enclosures for the purposes of this Article, or if the feeding, watering, sanitizing and housing practices at the animal shelter, public auction, pet shop, or kennel are not consistent with the intent of this Article or the rules adopted under this Article;
- (4) Allowing one's license under this Article to be used by an unlicensed person;
- (5) Conviction of any crime an essential element of which is misstatement, fraud, or dishonesty, or conviction of any felony;
- (6) Making substantial misrepresentations or false promises of a character likely to influence, persuade, or induce in connection with the business of a public auction, commercial kennel, pet shop, or dealer;
- (7) Pursuing a continued course of misrepresentation of or making false promises through advertising, salesmen, agents, or otherwise in connection with the business to be licensed;
- (8) Failure to possess the necessary qualifications or to meet the requirements of this Article for the issuance or holding of a certificate of registration or license.

The Director shall, before refusing to issue or renew and before suspension or revocation of a certificate of registration or a license, give to the applicant or holder thereof a written notice containing a statement indicating in what respects the applicant or holder has failed to satisfy the requirements for the holding of a certificate of registration or a license. If a certificate of registration or a license is suspended or revoked under the provisions hereof, the holder shall have five days from such suspension or revocation to surrender all certificates of registration or licenses issued thereunder to the Director or his authorized representative.

A person to whom a certificate of registration or a license is denied, suspended, or revoked by the Director may contest the action by filing a petition under G.S. 150B-23 within five days after the denial, suspension, or revocation.

Any licensee whose license is revoked under the provisions of this Article shall not be eligible to apply for a new license hereunder until one year has elapsed from the date of the order revoking said license or if an appeal is taken from said order of revocation, one year from the date of the order or final judgment sustaining said revocation. Any person who has been an officer, agent, or employee of a licensee whose license has been revoked or suspended and who is responsible for or participated in the

violation upon which the order of suspension or revocation was based, shall not be licensed within the period during which the order of suspension or revocation is in effect.

§ 19A-40. Civil Penalties.

The Director may assess a civil penalty of not more than five thousand dollars (\$5,000) against any person who violates a provision of this Article or any rule promulgated thereunder. In determining the amount of the penalty, the Director shall consider the degree and extent of harm caused by the violation. The clear proceeds of civil penalties assessed pursuant to this section shall be remitted to the Civil Penalty and Forfeiture Fund in accordance with G.S. 115C-457.2.

02 NCAC 52J .0102 RECORDS; BOARDING KENNELS

Operators of boarding kennels shall maintain records of all dogs and cats showing the following:

- (1) name and address of owner or person responsible for animal, the date of entry and signature and address of individual to whom animal is released and the date of release;
- (3) veterinary care provided while boarded, which shall include date, times, description of medication (including name and dosage) and initials of person administering product or procedure.

History Note: Authority G.S. 19A-24; Eff. April 1, 1984;

02 NCAC 52J .0103 INSPECTION OF RECORDS

All operators of animal shelters, pet shops, boarding kennels, public auctions, and persons operating as dealers shall make all required records available to the director or his authorized representative on request, during the business and cleaning hours listed on the license application. The operator must be able to match each animal to its record upon request. Records shall be maintained for a period of one year after the animal is released.

History Note: Authority G.S. 19A-24; 19A-25; Eff. April 1, 1984; Amended Eff. January 1, 2005; April 1, 1985.

02 NCAC 52J .0201 GENERAL

(e) Provisions shall be made for the daily removal and disposal of animal and food waste, bedding and debris from the housing facility in accordance with local ordinances, to assure facility will be maintained in a clean and sanitary manner.

History Note: Authority G.S. 19A-24; Eff. April 1, 1984; Amended Eff. January 1, 2005.

02 NCAC 52J .0202 INDOOR FACILITIES

(c) Indoor housing facilities for dogs and cats shall have adequate illumination to permit routine inspections, maintenance, cleaning and housekeeping of the facility and observation of the animals. Illumination shall provide regular diurnal lighting cycles of either natural or artificial light, uniformly diffused throughout the animal facilities.

(d) Interior building surfaces of indoor facilities with which animals come in contact shall be constructed and maintained so that they are impervious to moisture and can be readily sanitized.

(e) A suitable method of drainage shall be provided to rapidly eliminate excess water from an indoor housing facility. If closed drain systems are used, they shall be equipped with traps and installed to prevent odors and backup of sewage. The drainage system shall be constructed to prevent cross-contamination among animals.

History Note: Authority G.S. 19A-24; Eff. April 1, 1984; Amended Eff. January 1, 2005.

02 NCAC 52J .0204 PRIMARY ENCLOSURES

- (a) Primary enclosures shall be constructed so as to prevent contamination from waste and wastewater from animals in other enclosures. All surfaces with which an animal comes in contact shall be impervious to moisture. For primary enclosures placed into service on or after January 1, 2005, no wood shall be within the animal's reach. For primary enclosures in use in a licensed or registered facility prior to January 1, 2005, any damaged wood must be replaced in a manner that does not permit contact with wood by the animal.
- (b) Primary enclosures for dogs and cats shall be structurally sound and maintained in good repair and in a manner to prevent injury to animals and keep other animals out. Primary enclosures shall be constructed so as to provide space to allow each dog or cat to walk, urn about freely, and to easily stand, sit, or lie in a natural position. The height of a primary enclosure other than a cage shall be no less than five feet. All enclosures shall be constructed to prevent the escape of animals.
- (g) In all cat enclosures, a receptacle containing clean litter shall be provided for waste. A minimum of one receptacle per three cats is required.

History Note: Authority G.S. 19A-24; Eff. April 1, 1984; Amended Eff. January 1, 2005; April 1, 1985.

02 NCAC 52J .0205 FEEDING

- (a) Dogs and cats shall be fed at least once each 24-hour period except as otherwise might be required to provide adequate veterinary care. Food shall be commercially prepared food which complies with laws applicable to animal feed or the food shall be provided by the owner. The food shall be free from contamination, wholesome, palatable, and of adequate quality and quantity appropriate for the given size, age, and condition of an animal to meet the daily requirements for nutritional value. Puppies and kittens less than six months of age shall be fed at least twice in each 24-hour period. An eight-hour interval between feedings is required if only two feedings are offered in a 24-hour period.

History Note: Authority G.S. 19A-24; Eff. April 1, 1984; Amended Eff. January 1, 2005; April 1, 1985.

02 NCAC 52J .0206 WATERING

Animals shall have continuous access to fresh water, except as might otherwise be required to provide adequate veterinary care. Watering receptacles shall be durable and kept clean and sanitized. Damaged receptacles shall be replaced.

History Note: Authority G.S. 19A-24; Eff. April 1, 1984;

02 NCAC 52J .0207 SANITATION

- (a) Waste shall be removed from primary enclosures and exercise areas to prevent contamination of the dogs or cats contained therein and to reduce disease hazards and odors. Enclosures and exercise areas for dogs and cats must be properly cleaned a minimum of two times per day. The animal must be able to walk or lie down without coming in contact with any waste or debris. When a hosing or flushing method is used for cleaning an enclosure, dogs or cats contained therein shall be removed during the cleaning process, and adequate measures shall be taken to protect the animals in other such enclosures from being contaminated with water and other wastes.
- (b) Sanitation shall be as follows:
 - (1) Prior to the introduction of dogs or cats into empty primary enclosures previously occupied, enclosures and accessories shall be sanitized in the manner provided in Subparagraph (b)(3) of this Rule.

- (2) In addition to primary enclosures being properly cleaned a minimum of two times per day, enclosures and accessories shall be sanitized a minimum of once every seven days in the manner provided in Subparagraph (b)(3) of this Rule if the same animal is housed in the same enclosure more than seven days.
- (6) Any area accessible to multiple animals shall be kept clean and sanitary.
- (c) Premises (buildings and grounds) shall be kept clean and in good repair in order to protect the animals from injury and to facilitate the prescribed husbandry practices set forth in this Rule. Premises shall remain free of accumulations of trash, junk, waste products, and discarded matter. Weeds, grasses, and bushes must be controlled so as to facilitate cleaning of the premises and to improve pest control, and to protect the health and well-being of the animals.
- (d) An effective program for the control of insects, ectoparasites, and avian and mammalian pests shall be established and maintained.

History Note: Authority G.S. 19A-24; Eff. April 1, 1984; Amended Eff. January 1, 2005; April 1, 1985.

02 NCAC 52J .0208 EMPLOYEES

A sufficient number of employees shall be utilized to maintain the prescribed level of husbandry practices set forth in this Rule. Such practices shall be under the supervision of an animal caretaker who has a background in animal husbandry or care.

History Note: Authority G.S. 19A-24; Eff. April 1, 1984.